

EXHIBIT B

1 Filed Dec 1st 1943

2 J E Rankin Clerk

3 Deputy

4
5 IN THE DISTRICT COURT OF THE UNITED STATES, IN AND FOR
6 THE DISTRICT OF NEVADA

7
8 THE UNITED STATES OF AMERICA,) IN EQUITY
9 Plaintiff,) DOCKET NO. A3
10 -vs-
11 ORR WATER DITCH COMPANY, et al,)
12 Defendants.
13

14 ORDER SUBSTITUTING AND/OR JOINING
15 PARTIES AS DEFENDANTS

16 This cause was heard on plaintiff's Motion for
17 Substitution and/or Joinder of Parties, and

18 IT APPEARING TO THE COURT that the Amended Complaint
19 was filed on July 25, 1914; that the cause was argued and
20 submitted to the Court for its decision on July 11, 1925, and
21 a Temporary Restraining Order was entered herein on February
22 13, 1926, wherein the relative water rights of the parties
23 were fixed but not made final until further order of the
24 Court; and

25 IT FURTHER APPEARING TO THE COURT that since the
26 submission of the cause to the Court for decision there have
27 been numerous voluntary transfers of the water right proper-
28 ties involved and many of the original defendants have died,
29 a substantial number having died without the State of Nevada,
30 and that it is impracticable to ascertain the time or place
31 of the death of such decedents; that the respective claims of
32 various plaintiff and defendants in this cause have not been

1 extinguished by the death of any of the defendants; and

2 IT FURTHER APPEARING that due and diligent search has
3 been caused to be made by plaintiff and some of the defendants
4 herein to ascertain the names of all present owners of lands
5 and water rights described in said Temporary Restraining Order
6 and as a result of such search have established to the satis-
7 faction of the Court that the names of the present owners of
8 lands and water rights are as set forth and described in
9 Exhibit A of plaintiff's Motion for Substitution and/or
10 Joinder of Parties filed herein on June 17, 1943; and

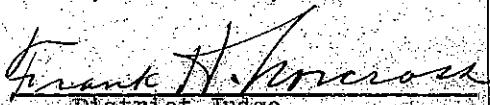
11 IT FURTHER APPEARING that of the persons named in
12 Exhibit A of said Motion, the United States Marshal has filed
13 his returns showing due and regular service upon the persons
14 named in the list attached hereto marked "Exhibit A" and by
15 reference made a part of this Order; and

16 IT FURTHER APPEARING that other and diverse parties
17 named in said Motion for Substitution and/or Joinder of
18 Parties have not been found and that other persons reside
19 outside of the State of Nevada and the jurisdiction of this
20 Court;

21 WHEREFORE, IT IS ORDERED that each of the persons
22 named in Exhibit A attached to this Order be, and they are,
23 hereby respectively substituted and joined as parties defend-
24 ant in this cause; and

25 IT IS FURTHER ORDERED that a further hearing of this
26 Motion be continued until the hour of 10 o'clock A.M. on
27 May 11, 1944, as to the persons named in plaintiff's Motion
28 not found or not served by the Marshal, in order that service
29 may be made upon such persons as provided by law.

30 DATED at Carson City, Nevada, December 1, 1943.

31

32 District Judge

"EXHIBIT A"

<u>PARTIES SUBSTITUTED and/or JOINED AS DEFENDANTS</u>	<u>CLAIM NUMBER</u>
Ackerman, Glenn W. & Ruth	247
Aerea, D. L.	431,432
Adams, Wayne B.	250
Agnes, John	458
Aguerrebere, Martin	138
Ah You Est., A. R. Schindler, Trustee for Wayne & Roland Asher	250
Altie, Edith B. & A. L.	366
American Loan Society	454
Anderson, Chas. J.	367
Anderson, Irene	574,575
Anderson, Pete	208
Anderson, Tom & Mildred	452
Anderson, Wm. H. and Wife Zellie A.	250
Andrews, W. L.	208
Annett, Shelden & Audrey	249
Arden, John	59
Arigoni, A. M. & wife Natalie	247
Armstrong, Alice Powers	64,173
Atcheson, Katherine C.	48
Atkinson, Frances B.	177
Aust, W. T.	244
Austin, W. C.	***
Avanzino, Jack	597
Avansino, John	184,214
Avanzino, John L.	368
Avansino, William and Silvo	368
Avanzino, Thomas	457
Ayres, Irvin L.	55
Azcarata, Frank	622
Aznarez, Eusebio	247